

Community Right to Know

The Superfund Amendments Reauthorization Act (SARA) of 1986, created a program with two goals: to facilitate and promote planning for chemical emergencies at the state and local levels; and to provide information to the public about the chemicals used, stored, and released in their communities. To implement these two goals, EPA established regulations requiring companies to gather certain information for community emergency planning efforts. The rules established a network of emergency planning entities at the local, state, and federal level.



SARA emergency planning provisions are designed to evaluate risks associated with chemical use and accidental releases to the environment. To reduce risks, EPA and IDEM encourage prevention, preparedness, and quick response to chemical emergencies. If properly executed, these three measures can make the difference in averting disaster. Prevention involves safety measures, sound management and storage practices, and preventive maintenance – preparedness anticipates an accident that occurs despite prevention measures. Emergency preparedness plans help companies and local and state governments respond to accidents.

What are the Reporting Requirements?

There are five reporting requirements for hazardous chemicals.

Some printers may be subject to Indiana Emergency Response Commission (IERC), the Department of Revenue and EPA reporting requirements for hazardous chemicals as follows:



Initial IERC notification for the presence of extremely hazardous substances (EHS). (SARA Title III, Section 302).



The annual hazardous chemical inventory report, also known as the Tier Two Report (SARA Title III, Sections 311 and 312) submitted to IERC, LEPC and local fire departments. (due by March 1 annually)



The annual Toxics Release Inventory Report, also known as Form R (SARA Title III, Section 313). (due July 1 annually)



The Hazardous Chemical Inventory Fee Return (Form HC-500) submitted to the Indiana Department of Revenue.



Emergency release notification of IDEM, IERC and EPA's National Response Center.

If you store and/or use large quantities of film and plate chemistry, inks, solvents, fuels (propane, fuel oil, gasoline, etc.), you may be subject to one or more of the above requirements.

Am I Required to Report my Hazardous Chemicals?

To determine if you are required to notify the IERC or EPA about hazardous chemicals in your shop, you need to know two things.

First, only certain extremely hazardous substances (EHSs) are subject to notification and reporting requirements. Second, you must store these chemicals above certain threshold quantities at any time during the calendar year. (Note: Threshold Planning Quantities (TPQs) apply only to EHSs.)

There are hundreds of listed hazardous chemicals with threshold quantities. For a complete list, see 40 CFR Part 355, Appendix A. Many of the listed hazardous chemicals are not used in lithographic printing. Below is a list of chemicals commonly found in print shops and translator volumes to determine whether you have to report. For any other chemicals required to have a MSDS by OSHA, the threshold quantity is generally 10,000 lbs., unless otherwise stated.



Common Chemicals


CAS Number	Chemical	TPQ (lbs)	Typical Source	Translator Volume
50-00-0	Formaldehyde	100	Fixer	5,000 gal (total fixer)
123-31-91	Hydroquinone	500	Developer	3,300 gal (total developer)
7664-93-9	Sulfuric Acid	500	Batteries	80 gal (total in batteries)
N/A	Total Inks	10,000	Production	1,180 gal
123-51-3	Isopropyl Alcohol	10,000	Fountain Solution	1,490 gal
N/A	Blanket Wash	10,000	Press Cleaning	1,490 gal
N/A	Gasoline	10,000	Fuel	1,400 gal
N/A	Propane	10,000	Fuel	2,300 gal
N/A	No. 2 Fuel Oil	10,000	Fuel	1,150 gal

* Note – If your quantity estimates are close to the translator volumes, you should make a more accurate determination. Remember – Only notify for chemicals stored in excess of the TPQ at any time during the calendar year.

Case Study

A small printer used the following quantities of chemicals for the calendar year 1999: 250 gallons of fixer, 200 gallons of developer, 55 gallons of isopropyl alcohol, and approximately 200 lbs of ink. (To convert the ink to gallons, divide by 8.5 lbs/gal on average to get 23.5 gallons of ink.) The printer does not have to report the hazardous chemicals.

To determine if chemicals stored in your shop exceed the threshold quantity, you must quantify the chemical in one of two ways. You can quantify only the chemical based on its concentration in the mixture, or you can report the whole mixture. This may allow you to remain exempt from the reporting requirements. If you are significantly below the threshold quantity, you can document this in a file memo and only reevaluate when chemical usage significantly changes. For smaller printers, inks and fuels stored in bulk quantity could trigger the notification and reporting requirements under SARA.



A midsize community newspaper used the following quantities of chemicals for the calendar year 1999: 800 gallons of fixer, 700 gallons of developer, 600 gallons fountain solution, and approximately 43,000 lbs of ink. There is also a fuel oil tank with a capacity of 1,500 gallons. To convert the ink to gallons, divide by 8.5 lbs/gal on average to get 5,060 gallons.) The newspaper has to report the ink and diesel fuel because they exceed the translator volumes.


Case Study

When Do I First Notify?

Once you attain or exceed any of the TPQs, you must notify the IERC and your LEPC.

Within 60 days of exceeding any threshold quantity, you must send the notification form (302 Form) to the IERC and your Local Emergency Planning Committee (LEPC).

You are also required to submit the 311 Reporting Form to the IERC, LEPC and local fire department. This form provides information about the reportable chemicals in your shop. You must submit the MSDSs for the reportable chemicals or prepare a hazardous chemical list. If you prepare a hazardous chemical list, it must include the hazardous chemical name or common name and any hazardous component of each chemical (except when reporting by mixture). You should group the chemicals or mixtures by hazard category (combustibles, acids, caustics, etc.).



Indiana has 92 LEPCs. These committees consist of professionals from state, local, private, and public organizations. The functions of the LEPCs are to develop and manage the emergency response plans dealing with accidental chemical releases from facilities, and to distribute information to the general public. For a complete list of the LEPCs, see the IERC SARA Title III booklet for the 302 and 311 Forms.

Indiana LEPCs

If, after initial notification, you find a new reportable chemical, or there has been new information on a previously reported chemical, you must renotify. Submit any new MSDSs or a revised list of chemicals and the Facility Information Sheet (available from IERC) to the IERC, your LEPC and local fire department within 90 days of the determination.

The 302 and 311 Forms are available from IERC.

Do I Have to Submit an Annual Report?

If you have reportable chemicals in quantities above their threshold quantities at any time during the year, you are required to submit a Tier Two Report.

The Tier II Report required by Section 312 is an **annual inventory form** for reporting your hazardous chemicals. Chemicals stored any time during the calendar year, and in excess of the threshold quantities, must be reported. (Refer to the Table on page 72 for the EHS TPQs.) It must be sent to the IERC, LEPC and the local fire department by March 1 of each year. You complete the form for the previous calendar year. You can obtain the Tier II Report form directly from the IERC. See page 113 contact information.

Even if your chemicals and quantities do not change from year to year, you still have to submit the Tier II Report by March 1 annually.

Case Study

A plant had a fire. When the Fire Department arrived, they asked for any updates to the Tier Two information filed from the previous year. This is an important reason why continual updates must be made.



Right-to-Know
Tip

What is the Hazardous Chemical Inventory Fee Return – HC-500?

The HC-500 form is used to determine the fee for submitting the Tier II Report. It is mailed separately to facilities by the Indiana Department of Revenue around the first week of February of each year. Note: 90% of the hazardous chemical inventory fees collected by the Department of Revenue are returned to the local community through public education and the implementation of safety measures concerning hazardous chemicals.

Release Reporting – Form R The Toxic Release Inventory (TRI)

Form R is a special inventory form due July 1 each year for chemicals used or processed in the previous calendar year.

Form R is only required if you used in your shop over 10,000 lbs, or processed (incorporated into product) over 25,000 lbs of specifically listed chemicals or a new group of chemicals call Persistent Bioaccumulative and Toxic Chemicals (PBTs for short) and have the equivalent of 10 or more full-time employees. (Only manufacturing facilities with a SIC code between 20 and 39. Printing and publishing are usually a SIC code of 27.)

These chemicals are not necessarily the same chemicals reported on the Tier II Report. See the next page for a list of Form R chemicals typically found in lithographic printing. If you are a large printer, you may need to review the entire list to be sure you comply with the reporting requirements. **Remember – these hazardous chemicals must be used (not stored) in over 10,000 lbs or you processed over 25,000 lbs during a calendar year.**

You can call EPA's Emergency Planning and Community Right-to-Know Hotline for a "List of Lists" of Tier II and Form R chemicals. See page 113 for contact information.

The completed Form R must be mailed to the USEPA address in the instructions and to:

IDEM-OPPTA
150 West Market Street, Suite 703
Indianapolis, IN 46204-2811
(317) 232-8172 or (800) 988-7901 (Indiana only)

You may need a consultant with experience in completing the form to help you. USEPA will also send you a TRI book and diskette to help you prepare the report. Go to www.epa.gov/tri for more information.

<u>CAS Number</u>	<u>Chemical</u>
7440-39-3	Barium
7440-47-3	Chromium
7440-50-8	Copper
107-21-1	Ethylene Glycol
123-31-9	Hydroquinone
67-56-1	Methanol
108-10-1	Methyl Ethyl ketone
75-09-2	Methylene Chloride
127-18-4	Perchloroethylene
108-88-3	Toluene
108-38-3	m-Xylene
95-47-6	o-Xylene
106-42-3	p-Xylenes
N/A	Xylene Mixture
N/A	Certain Glycol Ethers



Typical Form R Chemicals
Found in a Print Shop

To lessen the amount of time spent each year on the SARA review, and to have defensible documentation, consider creating a database that contains each product name and all chemical constituents, and CAS numbers. This will be a big help evaluating what SARA, air, water and waste regulations may apply to your shop.



Important
Tip